



General Assembly

February Session, 2020

**Raised Bill No. 5191**

LCO No. 1177



Referred to Committee on TRANSPORTATION

Introduced by:  
(TRA)

**AN ACT CONCERNING THE DISCLOSURE OF INFORMATION BY THE CONNECTICUT AIRPORT AUTHORITY UNDER THE FREEDOM OF INFORMATION ACT, SECURITY SERVICES AT BRADLEY INTERNATIONAL AIRPORT AND A STUDY OF STRUCTURES TO BE ERECTED PROXIMATE TO GENERAL AVIATION AIRPORTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (19) of subsection (b) of section 1-210 of the  
2 2020 supplement to the general statutes is repealed and the following is  
3 substituted in lieu thereof (*Effective from passage*):

4 (19) Records when there are reasonable grounds to believe disclosure  
5 may result in a safety risk, including the risk of harm to any person, any  
6 government-owned or leased institution or facility or any fixture or  
7 appurtenance and equipment attached to, or contained in, such  
8 institution or facility, except that such records shall be disclosed to a law  
9 enforcement agency upon the request of the law enforcement agency.  
10 Such reasonable grounds shall be determined (A) (i) by the  
11 Commissioner of Administrative Services, after consultation with the  
12 chief executive officer of an executive branch state agency, with respect  
13 to records concerning such agency; and (ii) by the Commissioner of

14 Emergency Services and Public Protection, after consultation with the  
15 chief executive officer of a municipal, district or regional agency, with  
16 respect to records concerning such agency; (B) by the Chief Court  
17 Administrator, with respect to records concerning the Judicial  
18 Department; [and] (C) by the executive director of the Joint Committee  
19 on Legislative Management, with respect to records concerning the  
20 Legislative Department; and (D) by the executive director of the  
21 Connecticut Airport Authority, with respect to records concerning the  
22 security infrastructure at Connecticut Airport Authority airports. As  
23 used in this section, "government-owned or leased institution or facility"  
24 includes, but is not limited to, an institution or facility owned or leased  
25 by a public service company, as defined in section 16-1, other than a  
26 water company, as defined in section 25-32a, a certified  
27 telecommunications provider, as defined in section 16-1, or a municipal  
28 utility that furnishes electric or gas service, but does not include an  
29 institution or facility owned or leased by the federal government, and  
30 "chief executive officer" includes, but is not limited to, an agency head,  
31 department head, executive director or chief executive officer. Such  
32 records include, but are not limited to:

33 (i) Security manuals or reports;

34 (ii) Engineering and architectural drawings of government-owned or  
35 leased institutions or facilities;

36 (iii) Operational specifications of security systems utilized at any  
37 government-owned or leased institution or facility, except that a general  
38 description of any such security system and the cost and quality of such  
39 system may be disclosed;

40 (iv) Training manuals prepared for government-owned or leased  
41 institutions or facilities that describe, in any manner, security  
42 procedures, emergency plans or security equipment;

43 (v) Internal security audits of government-owned or leased  
44 institutions or facilities;

45 (vi) Minutes or records of meetings, or portions of such minutes or  
46 records, that contain or reveal information relating to security or other  
47 records otherwise exempt from disclosure under this subdivision;

48 (vii) Logs or other documents that contain information on the  
49 movement or assignment of security personnel; and

50 (viii) Emergency plans and emergency preparedness, response,  
51 recovery and mitigation plans, including plans provided by a person to  
52 a state agency or a local emergency management agency or official;

53 Sec. 2. Subsection (d) of section 1-210 of the 2020 supplement to the  
54 general statutes is repealed and the following is substituted in lieu  
55 thereof (*Effective from passage*):

56 (d) Whenever a public agency, except the Judicial Department, [or]  
57 Legislative Department or Connecticut Airport Authority, receives a  
58 request from any person for disclosure of any records described in  
59 subdivision (19) of subsection (b) of this section under the Freedom of  
60 Information Act, the public agency shall promptly notify the  
61 Commissioner of Administrative Services or the Commissioner of  
62 Emergency Services and Public Protection, as applicable, of such  
63 request, in the manner prescribed by such commissioner, before  
64 complying with the request as required by the Freedom of Information  
65 Act. If the commissioner, after consultation with the chief executive  
66 officer of the applicable agency, believes the requested record is exempt  
67 from disclosure pursuant to subdivision (19) of subsection (b) of this  
68 section, the commissioner may direct the agency to withhold such  
69 record from such person. In any appeal brought under the provisions of  
70 section 1-206 of the Freedom of Information Act for denial of access to  
71 records for any of the reasons described in subdivision (19) of subsection  
72 (b) of this section, such appeal shall be against (1) the chief executive  
73 officer of the executive branch state agency or the municipal, district or  
74 regional agency that issued the directive to withhold such record  
75 pursuant to subdivision (19) of subsection (b) of this section, exclusively,  
76 [or,] (2) the Chief Court Administrator in the case of records concerning

77 Judicial Department facilities, [the Chief Court Administrator or,] (3) the  
78 executive director of the Joint Committee on Legislative Management,  
79 in the case of records concerning the Legislative Department, [the  
80 executive director of the Joint Committee on Legislative Management]  
81 or (4) the executive director of the Connecticut Airport Authority in the  
82 case of records concerning the security infrastructure at the Connecticut  
83 Airport Authority.

84 Sec. 3. Section 21 of public act 09-7 of the September special session is  
85 repealed and the following is substituted in lieu thereof (*Effective from*  
86 *passage*):

87 Not later than December 1, [2009] 2020, the [Department of  
88 Transportation] Connecticut Airport Authority and the Department of  
89 [Public Safety] Emergency Services and Public Protection shall enter  
90 into a [memorandum of understanding to provide that all associated]  
91 contract for the security services requested by the Connecticut Airport  
92 Authority from the Department of Emergency Services and Public  
93 Protection at Bradley International Airport. Such contract may be  
94 terminated by the Connecticut Airport Authority at any time and for  
95 any reason and shall detail the type and amount of services requested,  
96 the costs for such services and the method of calculating such costs. All  
97 costs incurred by the Department of [Public Safety] Emergency Services  
98 and Public Protection in providing sworn members of the Division of  
99 State Police within the Department of [Public Safety] Emergency  
100 Services and Public Protection to [the] Bradley International Airport for  
101 the purposes of security shall be paid from the Bradley Enterprise Fund  
102 pursuant to the contact. Any such payment shall be made in compliance  
103 with applicable federal laws, regulations and guidelines.

104 Sec. 4. Section 2-90b of the general statutes is repealed and the  
105 following is substituted in lieu thereof (*Effective from passage*):

106 The Auditors of Public Accounts shall biennially conduct an audit of  
107 reimbursements made from the Bradley Enterprise Fund to the  
108 Department of Emergency Services and Public Protection to cover the

109 cost of Troop [W] H operations carried out in accordance with the  
 110 [memorandum of understanding] contract between the Department of  
 111 Emergency Services and Public Protection and the [Department of  
 112 Transportation] Connecticut Airport Authority.

113 Sec. 5. Section 85 of public act 01-9 of the June special session, as  
 114 amended by section 43 of public act 19-161, is repealed. (*Effective from*  
 115 *passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	1-210(b)(19)
Sec. 2	<i>from passage</i>	1-210(d)
Sec. 3	<i>from passage</i>	PA 09-7 of the September Sp. Sess., Sec. 21
Sec. 4	<i>from passage</i>	2-90b
Sec. 5	<i>from passage</i>	Repealer section

**Statement of Purpose:**

To: (1) Allow the executive director of the Connecticut Airport Authority to determine whether there are reasonable grounds to believe the disclosure of records concerning the security infrastructure at Connecticut Airport Authority airports may result in a safety risk, (2) require the Connecticut Airport Authority and the Department of Emergency Services and Public Protection to enter into a contract for security services at Bradley International Airport, and (3) repeal a requirement for the Connecticut Airport Authority to study certain safety hazards.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*